

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Atty. Idris N. McKelvey on November 2, 2009.

2. The application has been amended as follows:

In the claims:

2.1. In claim 1, line 9, "at least about 20%" has been replaced with
--from 47.4% to about 99%--

(support is found in the Table on page 22, see Examples 2A, 2C and 2D, total amount of surfactants is 47.4%; upper limit is found on page 14, line 13).

2.2. In claim 2, line 2, "about 30%" has been replaced with --54%--

(support is found in the Table on page 22, see Example 2B, total amount of surfactants is 54%).

In the specification:

2.1. On page 17, **the paragraph beginning at line 7** has been replaced with the following:

--Hand dishwashing compositions, cleaning compositions,
protomicroemulsion compositions and microemulsion compositions useful in the

present invention are known in the art, as described in, for example, WO 96/01305 A1 to Farnworth and Martin, published on January 18, 1996; US Patent No. 5,854,187 to Blum, et al., issued on Dec. 29, 1998; U.S. Patent No. 6,147,047 to Robbins, et al., issued on November 14, 2000; WO 99/58631 A1 to Robbins, et al., published on November 18, 1999; U.S. Patent No. 4,511,488 to Matta, issued on April 16, 1985; U.S. Patent No. 5,075,026 to Loth, et al., issued on Dec. 24, 1991; U.S. Patent No. 5,076,954 to Loth, et al., issued on December 31, 1991; U.S. Patent No. 5,082,584 to Loth, et al., issued on January 21, 1992; U.S. Patent No. 5,108,643 to Loth, et al., issued on April 28, 1992; co-pending US Patent Application No. 60/451064 (P&G Case # AA614FP) published as US 2004/0229767, to Ford, et al., entitled "Protomicroemulsion, Cleaning Implement Containing Same, And Method Of Use Therefor", filed on February 28, 2003; co-pending US Patent Application No. 60/472941 (P&G Case # AA614P2), published as US 2004/0229767 to Ford, et al., entitled "Protomicroemulsion, Cleaning Implement Containing Same, And Method Of Use Therefor", filed on May 23, 2003; co-pending US Patent Application No. 10/788,123 (P&G Case # AA614M), published as US 2004/0229767 to Ford, et al., entitled "Protomicroemulsion, Cleaning Implement Containing Same, And Method Of Use Therefor", filed on February 26, 2004; and co-pending US Patent Application No. 10/788,121 (P&G Case # AA633M), published as US 2004/0229766 to Hutton and Foley, entitled "Protomicroemulsion, Cleaning Implement Containing Same, And Method Of Use Therefor", filed on February 26, 2004. The dishwashing

compositions noted in the above references or variations of the above compositions, are especially preferred for use in combination with the container and foam-generating dispenser described herein.--

STATEMENT OF REASONS FOR ALLOWANCE

3. The following is an examiner's statement of reasons for allowance:

The claims in their present amended forms have overcome Petri in view of Pritchett, or Petri in view of Lund, the close prior art of record, because Petri, the primary reference fails to disclose a high surfactant content as required in the present claims. The maximum surfactant amount of 40% by weight in Petri (see col. 5, lines 4-8) is outside the scope of the present claims, i.e., from 47.4% to about 99% by weight. Accordingly, the subject matter, as a whole would not have been obvious to one of ordinary skill in the detergent art.

The terminal disclaimer filed on July 1, 2009 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of U.S. Patent No. **7,402,554** has been reviewed and is accepted. The terminal disclaimer has been recorded.

For the record, the terminal disclaimer filed on March 30, 2006 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of copending Application No. **10/787,342** has been reviewed and is accepted. The terminal disclaimer has been recorded.

Inasmuch as the only remaining rejection is the provisional nonstatutory obviousness-type double patenting rejection (ODP), per MPEP 804 I.B.1., 2nd paragraph, the provisional ODP rejection over copending application 10/787,266 is withdrawn.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lorna M. Douyon whose telephone number is 571-272-1313. The examiner can normally be reached on Mondays-Fridays 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon can be reached on 571-272-1498. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Lorna M Douyon/
Primary Examiner, Art Unit 1796